

*Thursday,
20th October, 1887*

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

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OF

THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA,

ASSEMBLED FOR THE PURPOSE OF MAKING

LAWS AND REGULATIONS

VOLUME XXVI



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1888.

*Abstract of the Proceedings of the Council of the Governor General of India,
assembled for the purpose of making Laws and Regulations under the
provisions of the Act of Parliament 24 & 25 Vic., cap. 67.*

The Council met at Viceregal Lodge, Simla, on Thursday, the 20th October,
1887.

PRESENT:

His Excellency the Viceroy and Governor-General of India, K.P., G.C.B.,
G.C.M.G., G.M.S.I., G.M.I.E., P.C., *presiding*.

The Hon'ble Sir T. C. Hope, K.C.S.I., C.I.E.

The Hon'ble Lieutenant-General G. T. Chesney, R.E., C.B., C.S.I., C.I.E.

The Hon'ble A. R. Scoble, Q.C.

The Hon'ble Sir C. U. Aitchison, K.C.S.I., C.I.E., LL.D., D.O.L.

The Hon'ble J. Westland.

The Hon'ble J. W. Quinton, C.S.I.

The Hon'ble Colonel E. G. Wace.

GAME PROTECTION BILL.

The Hon'ble MR. SCOBLE moved that the Report of the Select Committee on the Bill for the Protection of Game be taken into consideration. He said:

"The communications laid before the Select Committee with reference to this Bill show a general consensus of opinion in favour of legislation on the subject. Where objection has been taken, it has been, not to the principle of the Bill, but that it does not go far enough. We have endeavoured to meet this objection to some extent, and the Bill is now submitted to the Council not as a Bill for the protection of game, but as a Wild Birds' Protection Bill. The term 'wild bird' is left to be defined by the local authorities in each case according to local circumstances, but it is expressly declared to include peacocks which, whether tame or wild, are objects of veneration in many parts of the country. It will also admit of protection being given to insectivorous as well as game birds, a matter as to which the Government of Madras is very solicitous. And it will operate to prevent the indiscriminate slaughter of birds for their plumage. Upon this point let me quote the testimony of two or three witnesses. The Magistrate of the 24-Pergunnahs writes that 'it is paddy-birds, fly-catchers and other birds not usually called game that chiefly need protection. These birds are of great use as destroyers of insects, but are eagerly sought after for their plumage, which is brightest during the breeding

[*Mr. Scoble.*]

[20TH OCTOBER,

season. They are therefore in some places becoming quickly exterminated.' From the other side of India, the Commissioner in Sindh reports that 'as many as 30,000 black partridges were destroyed in a very few days, in one or two of the northern talukas of Sindh, with a view to supply the demand from Europe for the skins. The Commissioner believes this demand still continues, and unless destruction of the birds is checked during the breeding season, there will soon be no black partridge in the country.' The Lieutenant-Governor of the Punjab testifies to the same effect. 'The European demand' he says, 'for the skins of birds of bright plumage is said by competent observers to have done much harm in some parts of India, as these birds are often of very useful insectivorous varieties. The rural populations are sorry to see them destroyed, while the only persons interested in the trade are the exporters and a few professional netters and snarers employed by them.' By empowering municipal and cantonment authorities to make rules fixing a close season for any kind of wild bird, and imposing a penalty on the possession or sale of such birds, if recently killed or taken, during that season, I hope that we have sufficiently guarded agricultural as well as sporting interests, while it may safely be left to Local Governments to see that the rules occasion no unnecessary interference with the course of trade.

"As this is a tentative measure, we have not thought it desirable to give District Boards the powers conferred by it on municipal and cantonment authorities.

"In the Bill as it originally stood, it was provided that a Magistrate should not take cognizance of an offence under it except on the complaint of the local authority or of some person authorized by that authority. It was pointed out that this might have the effect of reducing the Act to a dead letter, and the Committee has accordingly omitted the clause.

"In regard to penalties the Committee has followed the precedent of the English Acts by imposing enhanced penalties for repeated offences, and directing the confiscation of the bird or plumage in respect of which the offence was committed.

"Finally, power has been given to Local Governments to extend the provisions of the Act to animals of game other than birds."

The Motion was put and agreed to.

The Hon'ble MR. SCOBLE also moved that the Bill, as amended, be passed.

The Motion was put and agreed to.

1887.] [Mr. Westland; Sir C. Aitchison; Mr. Scoble.]

INLAND BONDED WARE-HOUSES BILL.

The Hon'ble MR. WESTLAND moved that the Report of the Select Committee on the Bill to provide for the establishment of bonded ware-houses at places other than customs-ports be taken into consideration. He said :

“ The object of the Bill was to remedy a defect in the Sea Customs Act, 1878, in consequence of which it became impossible to appoint or license bonded ware-houses at places other than customs-ports. The Bill is therefore little more than a formal one. It was introduced to meet an actual demand of trade in Bengal and it has been fully approved by the various maritime Governments, and by the Revenue authorities and Chambers of Commerce to whom they referred it for opinion.”

The Motion was put and agreed to.

The Hon'ble MR. WESTLAND also moved that the Bill be passed.

The Motion was put and agreed to.

POLICE BILL, 1887.

The Hon'ble SIR CHARLES AITCHISON moved that the Bill to amend the Law relating to the Regulation of Police be referred to a Select Committee consisting of the Hon'ble Messrs. Scoble, Westland and Quinton and the Mover.

The Motion was put and agreed to.

SUNDRY BILLS.

The Hon'ble MR. SCOBLE moved that the Hon'ble Sir Charles Aitchison be substituted for the Hon'ble Mr. Peile as a member of the Select Committees on the following Bills :

To consolidate and amend the law relating to Guardian and Ward.

To amend the Code of Civil Procedure and the Indian Limitation Act, 1877.

To consolidate and amend the law relating to the Protection of Inventions and Designs.

To consolidate and amend the law relating to Courts in Lower Burma.

To amend the Indian Stamp Act, 1879.

To make better provision for recovering certain public demands.

The Motion was put and agreed to.

The Council adjourned *sine die*.

SIMLA; }
The 21st October, 1887. }
J. M. MACPHERSON,
Offg. Secretary to the Govt. of India,
Legislative Department.